

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANGELA RICHARDSON,

Plaintiff,

ORDER

-against-

CV 02-6171 (LDW) (ARL)

ARROW ELECTRONICS, INC.,

Defendant.

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LINDSAY, Magistrate Judge:

By letter dated August 11, 2005, plaintiff moves for an order compelling the defendant to produce its former president, Steven Kaufman, for a deposition. Plaintiff also seeks an extension of the discovery deadline from August 19, 2005 through the end of September. Defendant consents to extend the discovery deadline, but opposes the balance of the application by letter dated August 17, 2005.

During a teleconference on August 23, 2005, the court was advised that plaintiff has only orally requested that defendant produce Mr. Kaufman for deposition, and has not served a notice of deposition or subpoena. Thus, plaintiff's application is procedurally defective. Fed. R. Civ. P. 30(a)(1). Accordingly, the application to compel the deposition of Mr. Kaufman is denied. Should defendant continue to object to the Kaufman deposition, upon proper notice pursuant to the Federal Rules of Civil Procedure, the plaintiff may renew her application.

With regard to plaintiff's application to extend the discovery deadline, District Judge Wexler has instructed that his cases be marked ready for trial within one year from the filing of the complaint. Given that the complaint in this action was filed in November 2002, the court will not further extend the discovery deadline. Thus, the application is denied. However, as defendant has consented to the depositions referenced in plaintiff's letter with the exception of that of Mr. Kaufman, the parties may continue to conduct discovery until the case is scheduled for trial by Judge Wexler.

Dated: Central Islip, New York
August 23, 2005

SO ORDERED:

/s/

ARLENE ROSARIO LINDSAY
United States Magistrate Judge